

October 16, 2015

**Notice of Decision**

**TO:** Carmelo Laviste  
216 NE 175TH Street  
Shoreline, WA 98155

**PROJECT:** Clark Single-family Remodel Administrative Adjustment of Standards for Front Setback

**APPLICATION:** Administrative Adjustment of Standards, AAS15-00005

**DATE OF DECISION:** October 16, 2015

**REQUEST:** An application for Administrative Adjustment of Standards (AAS) is requested to allow a reduction of the front yard setback to expand the existing carport. The carport currently sits at approx. 10 feet from the property line. The expansion of the carport will maintain the existing 10 feet setback. The required front yard setback is 20 feet. See Attachment A for site plan and elevations.

**LOCATION:** The subject property is located at 485 Mountain Park Blvd. SW, See Attachment B, Vicinity Map.

**SUBAREA:** Squak Mountain

**COMPREHENSIVE PLAN DESIGNATION:** "Low Density Residential" by the City's Comprehensive Plan's Use Designation Map, as amended January 16, 2011, Ord. 2643.

**PARCEL NUMBER:** 5706200360

**SITE AREA:** 10,010 sq. ft.

**ZONING:** SF-S (Single-family Suburban)

**DECISION MADE:**

The Development Services Department conditionally approve the application for Administrative Adjustment of Standards, Application No. AAS15-00005. Approval of the application is based on the application submittal made on September 11, 2015. The approval of the application is subject to the following conditions:

1. Construction shall not commence until a Building Permit is issued by the City.

**REASONS FOR DECISION:**

1. 18.07.260 General Purpose: The purpose and intent of administrative adjustment of development standards is to provide the flexibility to modify standards in all zoning districts at the administrative level. Approval must be based on a determination that the adjustment is consistent with the purpose and intent of this Code and of the development standards. This provision requires a Level 2 Review (Chapter 18.04 IMC) regardless of street frontage or parcel size, with public notification to adjacent property owners.
2. 18.07.270 Process: The Development Services Department (DSD) Director has the authority to make the final decision regarding Administrative Adjustment of Standards for all levels of review. The Director/Manager shall consider the application information regarding the approval criteria which has been provided by the applicant and any public comment which has been received within the comment period. The Director/Manager may request input from the Chair of the Development Commission during the comment period; however, this is not required. The Planning Director/Manager's decision on the Administrative Adjustment of Standards is final unless appealed. Appeals to a Level 2 Review Administrative Adjustment of Standards decision are made to the Hearing Examiner (further appeals to King County Superior Court).
3. 18.07.330(A): Purpose for Setbacks: The purpose of permitting the Administrative Adjustment of Setback Standards is to provide for flexibility in reducing or modifying setbacks in all zoning districts, without permitting a setback adjustment that would negatively impact the surrounding neighborhood. An adjustment to a setback may be approved based on a determination by the DSD Director that the adjustment is consistent with the purpose of this Code, the intent and purposes of the setback standards, and will accomplish one (1) or more of the following objectives:
  - (1) Allow buildings to be sited in a manner which maximizes solar access;
  - (2) Allow zero lot line, semidetached (common wall construction) or other types of cluster development in conformance with the provisions of this Code;
  - (3) Coordinate development with adjacent land uses and the physical features of the site;

- (4) Permit flexibility in the design and placement of structures and other site improvements;
- (5) Allow development consistent with the scale and character of the existing neighborhood;
- (6) Provide flexibility for a site which has one (1) or more of the following constraints:
  - a. Existing development which was permitted or platted under previous land use regulations; or
  - b. A vacant site which had development approval or was platted under previous land use regulations; or
  - c. Physical features of the site which prevent development that is compatible and consistent with the character and scale of the surrounding area, such as the unique site constraints in the older part of the city;
- (7) Allow reduction of the required setbacks in order for the placement of the building to be adjusted on the lot for retention of existing significant trees.

Staff Analysis: The existing carport already encroaches into the front setback by 10 feet. The property was developed under King County development standards prior to the neighborhood's annexation into the City. The Applicant is expanding the carport from 18 feet wide to 22 feet wide. The encroachment into the front yard setback will be maintained at 10 feet. The reduced front setbacks will not have a negative impact to the neighborhood since there are several properties with structures sitting less than 20 feet from the property line.

4. 18.07.330 (B): Approval Criteria: These setback standards are applicable in a residential, commercial, industrial or mixed use development, unless otherwise provided. These standards are not applicable to the Mineral Resource Zone. Setback standards for the Mineral Resource Zone are provided at IMC 18.07.525. These standards may be adjusted administratively through the approval of all the following criteria, in addition to the approval criteria for Level 2 Review:

- (1) Compatibility: The adjustment of setbacks is compatible in scale and character with existing neighboring land uses: and

Staff response: The adjustment of standards request to reduce the setback for the carport expansion will be compatible in scale and character with the neighborhood. Many other buildings in this neighborhood are equally as close, including one property to the south.

- (2) Consistency: The proposed development meets all other development and design standards as governed by the District Standards Table and the Design Criteria Checklist, unless those standards are modified through approved:

- a. Cluster provisions; or
- b. An Administrative Adjustment of Standards; and

Staff Analysis: The proposed carport expansion as proposed will meet all other development standards of the Land Use Code including building setbacks (as adjusted by this application), building height and lot coverage (impervious surface). Clustered provisions are not applicable to this Administrative Adjustment of Standards.

- (3) Consistency with Zoning District: The adjustment of setbacks shall provide consistency with the intent and character of the zoning district involved; and

Staff Response: The intent and character of the zoning district involved (Single Family Suburban - "SF-S") will remain as a detached single family house with a free-standing carport. The character of the Squak Mountain neighborhood has many buildings similar in design and to the setbacks as this proposal is requesting.

- (4) Impacts:

- a. Adjacent Property Owner(s): The adjustment of setbacks does not negatively impact the adjacent property owners;
- b. Critical Areas: The adjustment of standards is consistent with the purpose and intent of the critical area regulations, and does not negatively impact any adjacent critical areas;
- c. Public Services: The adjustment of setbacks does not negatively impact public services, including emergency access, access to right-of-way, dedicated tracts, or easements; and
- d. Structure(s): Any structure(s) which is within the proposed setback modification area does not negatively impact the adjacent property through incompatible height, bulk, design, color or other feature; and

Staff analysis:

- a. The adjustment of standards to reduce the front yard setback for the carport will not negatively impact the adjacent neighbors. Two houses to the immediate south have garages that are encroaching into the front yard setback. Maps showing approximate building distances from adjacent properties provided by GIS indicate this. The neighbors within 300 feet to the Clark property were informed of the proposal and have not provided any comments on this project.
- b. There are no "critical areas" on the subject property or adjacent properties.
- c. There will be no negative impact to public services including emergency access, access to the streets or tracts or easements.

- d. The carport should not have a negative impact to the adjacent properties. The two properties to the south have worse conditions since the garages are solid structures sitting close the street, and have a more substantial volume and opacity that can be perceived from the street. The proposed expansion of the carport, which is effectively a covered parking area, has minimal impact to the openness of the front yard since only the roof element is a solid enclosure.

(5) Intent: The adjustment of standards will be equal to or superior in fulfilling the intent and purpose of the original requirements.

Staff analysis: The proposed carport expansion is equal to the original requirements.

(6) Impervious Surface Ratio: The required impervious surface area for the property is not exceeded; and

Staff analysis: The proposed carport expansion will not exceed the max. impervious area for the SF-S, Single-family Suburban.

(7) Additional Approval Criteria for Front Setbacks for Commercial and Mixed Uses: not applicable

(8) Tree Retention: not applicable

## CONCLUSIONS:

The requested Administrative Adjustment of Standards to allow the expansion of the carport will not further reduce the encroachment in the front yard setback of the Clark property. The proposed expansion of the nonconforming carport is acceptable and meets the approval criteria for granting an Administrative Adjustment of Standards (AAS). Therefore, the AAS is approved as conditioned.

## TIME LIMIT OF DECISION:

The final decision approving the Administrative Adjustment of Standards for the building setbacks is valid for three years as specified by IMC 18.04.220-C-5, or as amended by the Land Use Code.

  
Amy Tarce, AICP, Senior Planner

October 16, 2015  
Date

**ATTACHMENT LIST:**

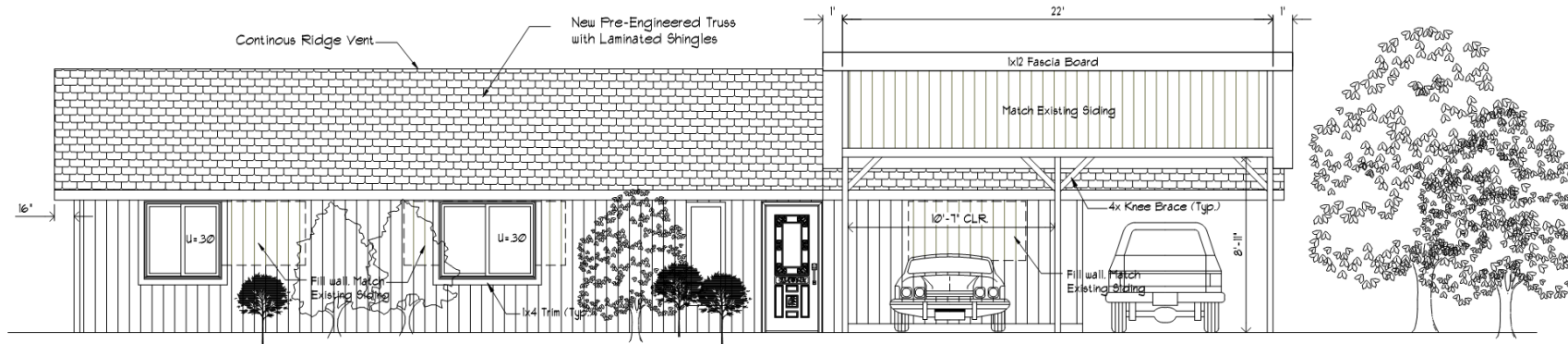
Attachment A: Project Site Plan and Elevations, received September 11, 2015

Attachment B: Vicinity Map, received September 11, 2015

Attachment C: Land Use Permit Application, received September 11, 2015

# Notice of Application for an Administrative Adjustment of Standards for the Clark Residence Remodel, AAS15-00005

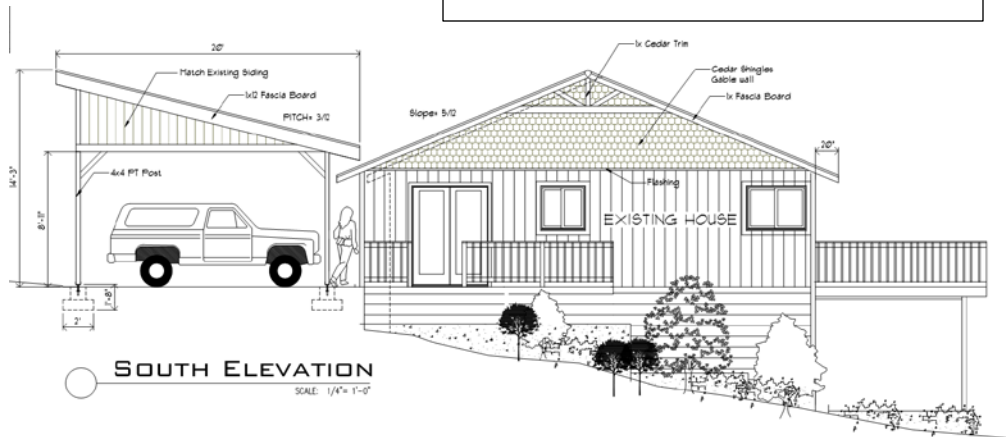
Site Address: 485 Mountain Park Blvd. SW, Issaquah



**WEST ELEVATION**

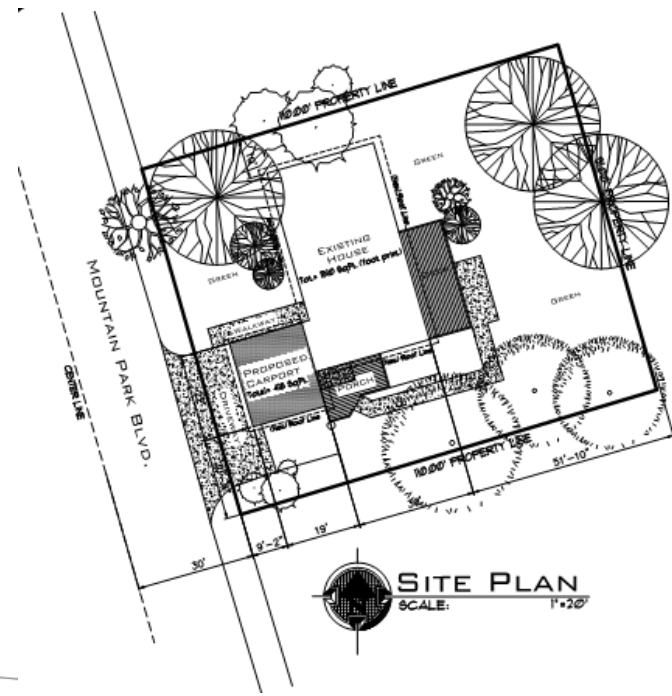
SCALE: 1/4" = 1'-0"

The property owner is requesting for an administrative adjustment of standards from the Land Use Code to rebuild the existing carport for 2 cars and the carport will encroach into the building front setback line by 11 feet. The carport will be 22 feet wide by 18 feet deep.



**SOUTH ELEVATION**

SCALE: 1/4" = 1'-0"

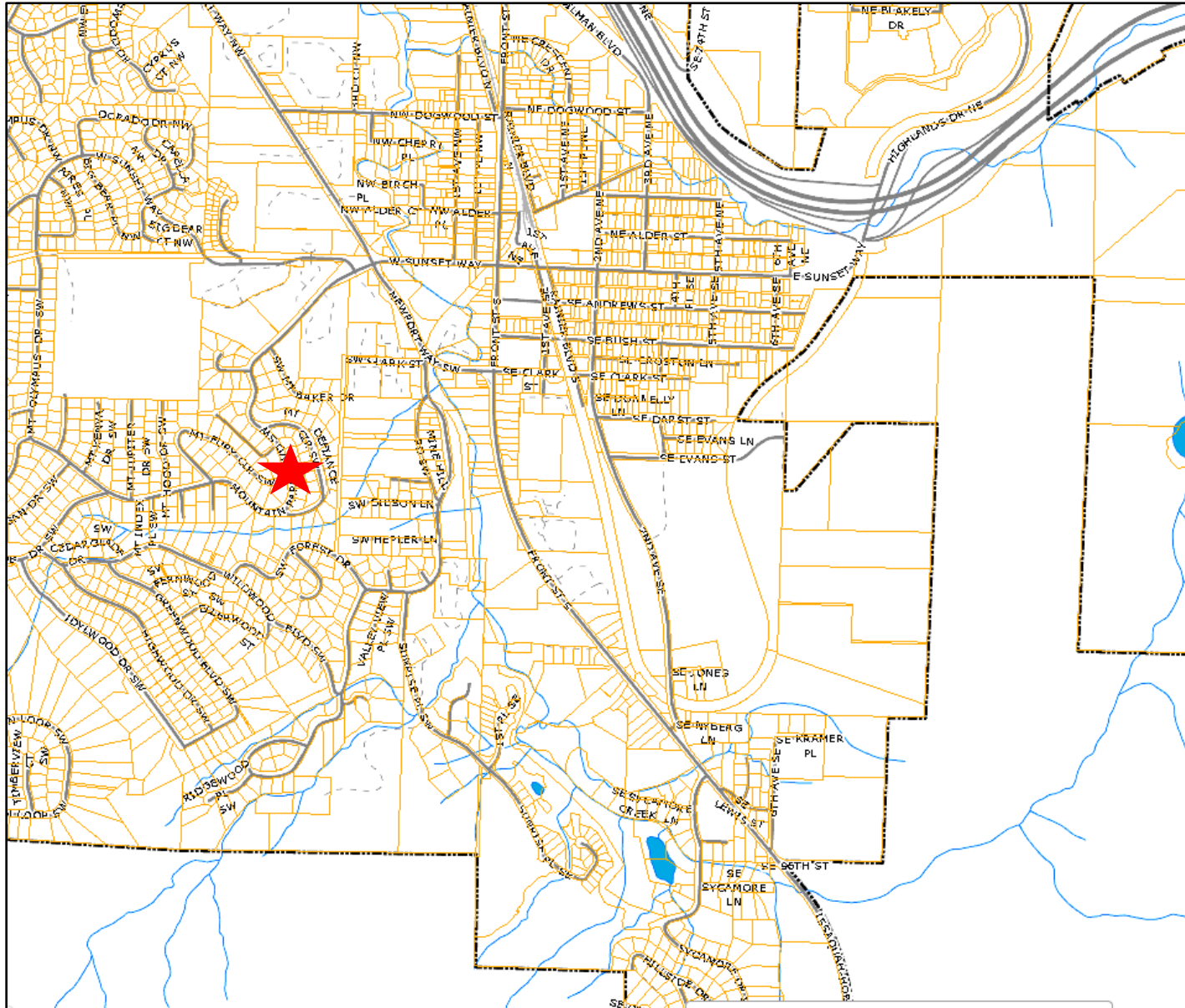


**SITE PLAN**

SCALE: 1" = 20'

Site Address: 485 Mountain Park Blvd. SW, Issaquah

## Attachment B VICINITY MAP





RECEIVED

SEP, 11 2015



CITY OF  
**ISSAQUAH**  
DEVELOPMENT SERVICES

1775 - 12<sup>th</sup> Ave. NW | P.O. Box 1307  
Issaquah, WA 98027  
425-837-3100  
issaquahwa.gov

**LAND USE**  
**PERMIT APPLICATION**

City of Issaquah

**This Section For Staff Use Only**

Permit Number: AAS15-00005  
Staff Contact: MIKE MARTIN

Date Received:

Type of Application: \_\_\_\_\_

**PROJECT INFORMATION**

Name of Project (if applicable):

CLARK

Project Site Address:

485 Mountain Park Blvd Sw Issaquah WA 98027

Parcel Number: \_\_\_\_\_

**OWNER**

Name:

James Clark

Address:

485 Mountain Park Blvd Sw, Issaquah WA 98027

Phone:

404-840-3413

Email:

JClarkiv@gmail.com

**APPLICANT**

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Phone: \_\_\_\_\_

Email: \_\_\_\_\_

**CONTACT**

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Phone: \_\_\_\_\_

Email: \_\_\_\_\_

**PROPOSED PROJECT DESCRIPTION**

Please provide a brief description of the project. (Use an additional sheet of paper, if necessary.)

Demolition of a non conforming non habital structure along with constructing a new structure to include the previous foot print and an 4' expansion to the lateral side of the structure

I certify (or declare) under penalty of perjury under the laws of the State of Washington that all application information, including plans and reports, are true and complete to the best of my knowledge. I understand the lead agency is relying on them to make its decision.

Signature: \_\_\_\_\_

JCM

Date: \_\_\_\_\_

9/11/15